

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES R. KETTLE JR.,

No. C-10-3065 TEH (PR)

Plaintiff,

v.

ORDER OF DISMISSAL

SUSAN VALDEZ, et. al.,

Defendant(s) .

_____ /

This civil rights action by a prisoner was filed on July 13, 2010. Doc. #1. The Court notified Plaintiff in writing at that time that the action was deficient because he did not pay the requisite \$ 350.00 filing fee or, instead, submit a signed and completed court-approved in forma pauperis application, including a completed certificate of funds in his prison account and a copy of his prison trust account statement for the last six months obtained from the appropriate prison official. See 28 U.S.C. § 1915(a)(2). Plaintiff was advised that failure to file the requested items within thirty (30) days would result in dismissal of the action.

1 Doc. #3. On August 11, 2010, Plaintiff filed an in forma pauperis
2 application, but failed to include a completed certificate of funds
3 in his prison account and a copy of his prison trust account
4 statement for the last six months obtained from the appropriate
5 prison official. See 28 U.S.C. § 1915(a)(2). The action therefore
6 remains deficient.

7 Over forty days have elapsed since Plaintiff was notified
8 of his filing deficiency; however, he has neither provided the Court
9 with the requisite items nor filed a request for an extension of
10 time to do so. The action, therefore, is DISMISSED without
11 prejudice.

12 The Clerk shall terminate all pending motions as moot and
13 close the file.

14
15 IT IS SO ORDERED.

16
17 DATED 08/24/10



THELTON E. HENDERSON
United States District Judge